

CA4 ON HBL A05  
C51L2A  
1987 -

URBAN / MUNICIPAL

ANIMAL CONTROL SUB-COMMITTEE  
-August 25, 1987 -







CA4 ON HBL A05  
C51L2A

MEMORANDUM • CITY OF HAMILTON

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TO : Members of Animal Control  
Sub-Committee

YOUR FILE:

FROM : Lori Peddle, Secretary

OUR FILE :

SUBJECT : Animal Control Sub-Committee Meeting  
CHANGE OF DATE

DATE : 1987 August 19

This is to inform you that the meeting of the Animal Control Sub-Committee set for Tuesday, 1987 August 25, 12:00 o'clock noon, Room 219, City Hall has been rescheduled for Friday, 1987 August 28, 12:00 o'clock noon, Room 219, City Hall.


Thank you.

*Lori Peddle*

*for*

Lori Peddle, Secretary

/bt



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CITY HALL  
HAMILTON, ONTARIO  
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# THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

1987 August 13

URBAN MUNICIPAL

AUG 13 1987

GOVERNMENT DOCUMENTS

## NOTICE OF MEETING

Animal Control Sub-Committee  
Tuesday, 1987 August 25  
12:00 o'clock noon  
Room 219, City Hall

A handwritten signature in cursive script that reads "L. Peddle".

L. Peddle  
Secretary

LP/bt

## AGENDA

1. Minutes of meetings held 1987 July 29 and August 13
2. "Vicious Dog" - Proposed Definition.
3. Restraint/Enclosure for Vicious Dog.
4. Adoption Policy - H. S. P. C. A.
5. Other Business.
6. Adjournment.

NOTE: Items 2 to 4 previously circulated.

NOTE: If you cannot attend this meeting or any future meetings, kindly advise the Chairman or Secretary prior to the meeting.





Wednesday, 1987 July 29  
1:00 o'clock p.m.  
Room 219, City Hall

1.  
July  
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The Animal Control Sub-Committee met.

There were present: Alderman T. Cooke, Chairman  
Alderman T. Murray  
Mr. R. Morrison, HSPCA  
Mr. P. Hooker, City Solicitors Dept.

Attendance

Also Present: Ms. Donna Pajeska, City Clerk's Dept.  
Mrs. L. Peddle, Secretary

Regrets: Alderman P. Valeriano  
Mr. C. Stableford - Vacation

The Committee approved the minutes of the meetings held 1987 June 30 and 1987 July 20.

The Committee discussed the comments made by the public at the meeting held 1987 July 20.

It was moved by Mr. R. Morrison, seconded by Mr. Hooker and carried that the Animal Control Sub-Committee not recommend breed-specific legislation.

Breed-Specific  
Legislation

Mr. R. Morrison of the HSPCA submitted revised statistics of dog bites for the period January to June 1987. The Committee discussed the legal implications of empowering the HSPCA, upon complaint, to assess a dog for its "Potential Viciousness". The Committee was advised that By-law 86-342 adopted by City Council on 1986 September 12 which amended By-law 85-148 by adding section 5A, requires every dog owner to provide a restraint or enclosure as may be required for the specific breed of dog, for the purpose of confining the dog to the premises of the owner. The Committee concluded, therefore, that controls are already in place with respect to the restraint or confinement of dogs.

Restraint/  
enclosure for  
vicious dog

The Committee discussed the current definition of a vicious dog which reads "Vicious Dog" means a dog that has bitten or attacked, i) the same person more than once; ii) at least two persons. Following further discussion the Committee approved in principal the following definition of a "Vicious Dog":

Definition -  
vicious dog

"Vicious Dog" means a dog that has been involved in one unprovoked attack or bite causing personal injury to persons or animals under restraint.

1. The past and present temperament and behaviour of the dog.
2. The seriousness of the injuries caused by the biting or attack.
3. Unusual contributing circumstances tending to justify the action of the dog.
4. The improbability that a similar attack will be repeated.
5. The dogs physical potential for inflicting harm.
6. Precautions taken by the owner to preclude similar attacks in the future.
7. Any other relevant circumstances.





1987 July 29

The Secretary was directed to circulate the proposed definition to all members of the Committee for possible amendment at the next meeting. The Chairman further requested that the section of the By-law that pertains to the confinement of a dog also be circulated to members of the Committee prior to the next meeting.

Set Fines -  
unlicenced and  
dogs at large

The Committee discussed the possibility of increasing set fines for unlicenced dogs and dogs at large. Committee members were advised that the Dog Tax and Livestock Protection Act limits the fine for the offenses to a maximum of \$50.00. Following further discussion it was moved by Mr. Morrison, seconded by Mr. Hooker and carried that correspondence be forwarded to the Minister of Agriculture and Food to request that the limits for fines under the Dog Tax and Livestock Protection Act be increased.

Adoption Policy

The Committee requested the HSPCA to circulate a copy of the Policy with respect to adoption procedures to all members of the Committee prior to the next meeting in order that the Committee could review current adoption procedures to ensure that potentially vicious dogs are not made available for adoption.

Liability of  
pet owners

The Committee discussed the liability of pet owners and agreed that large fines should be used as a deterrent. In this regard it was moved by Mr. Morrison, seconded by Mr. Hooker and carried that correspondence be forwarded to the Provincial Solicitor-General to request that the Dog Liability Act be amended to reflect increased fines and or impose a jail term in cases of personal injury.

Policy - Dog proven  
to be vicious

The Committee discussed the current procedure with respect to a dog that has been proven to be "Vicious". The Committee was advised that the Municipal Act empowers the City to remove the animal from City limits. The Dog Owners Liability Act places the decision of euthanasia with the court. It was moved, seconded and duly carried that, as a matter of policy, the City instruct the HSPCA to proceed under the Dog Owners Liability Act and request destruction of the animal.

Set fine - biting

The Committee discussed the set fine for biting under By-law 85-148 section 2A which currently stands at \$53.75. It was moved by Mr. Morrison, seconded by Mr. Hooker and carried that the City apply to the Chief Justice to increase the set fine for dog biting from \$53.75 to \$200.

The Committee discussed current legislation with respect to taking possession of dog that has bitten and returned home.

The Committee directed the Secretary to set the next meeting during the week of August 10 to 14.

There being no further business, the meeting was adjourned.

Taken as read and approved.

ALDERMAN T. COOKE  
ANIMAL CONTROL SUB-COMMITTEE

L. Peddle, Secretary

Typed by  
L. Pacifici





Thursday, 1987 August 13  
1:00 o'clock p.m.  
Room 219, City Hall

The Animal Control Sub-Committee met.

There were present: Alderman T. Cooke, Chairman  
Mr. R. Morrison, H.S.P.C.A.  
Mr. P. Hooker, City Solicitor's Office

Also present: Mrs. L. Peddle, Secretary

Regrets: Alderman T. Murray  
Alderman P. Valeriano  
Mr. C. Stableford, H.S.P.C.A.

The quorum for this Committee is four the therefore the meeting was re-scheduled for Tuesday, 1987 August 25, 12:00 o'clock noon, Room 219, City Hall.

There being no further business the meeting then adjourned.

Taken as read and approved.

Alderman T. Cooke, Chairman  
Animal Control Sub-Committee

Mrs. L. Peddle, Secretary

Typed by  
B. Thompson









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